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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

Plaintiffs,

v.

MARJORIE BELSKY, MD; MARIO
TARQUINO, MD; MARJORIE BELSKY,
MD, INC., doing business as INTEGRATED
PAIN SPECIALISTS; and MARIO
TARQUINO, MD, INC., DOES 1-100, and
ROES 101-200,

Defendants.

AND RELATED CLAIMS

CASE NO. 2:15-cv-2265-MMD-DJA

**STIPULATION AND ORDER TO
EXTEND THE DEADLINE FOR
PARTIES TO RESPOND TO MOTIONS
FOR SUMMARY JUDGMENT [ECF 518]
and [ECF 522] THIRD REQUEST AS TO
RESPONSES**

1 Plaintiffs and Counterdefendants, ALLSTATE INSURANCE COMPANY, ALLSTATE
 2 PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY,
 3 and ALLSTATE FIRE & CASUALTY INSURANCE COMPANY (hereinafter “Allstate Parties”),
 4 and Defendants and Counterclaimants MARJORIE BELSKY, M.D., MARIO TARQUINO, M.D.,
 5 MARJORIE BELSKY, M.D., INC. d/b/a INTEGRATED PAIN SPECIALISTS, and MARIO
 6 TARQUINO, M.D., INC. (hereinafter “Belsky Parties”), by and through their respective attorneys of
 7 record, stipulate and agree to extend the June 30, 2023, deadline for all parties to respond to their
 8 respective Motions for Summary Judgment, Allstate Parties [ECF 518] and Belsky Parties [ECF 522],
 9 extending the deadline for responses to each motion to July 7, 2023.

10 1. The extension is due to work load issues and scheduling conflicts for respective
 11 counsel for the Allstate Parties (Todd W. Baxter), and in light of the critical importance of the Belsky
 12 Parties’ motion as to Allstate’s claims herein and the Allstate Parties’ motion on the Belsky Parties’
 13 counterclaims, an extension of time is necessary to complete work on the detailed and complex
 14 motions.

15 2. Counsel for Allstate Parties, Mr. Baxter, is involved in a matter that involves the
 16 unexpected preparation and filing of a petition for writ of mandate with the Fifth District Court of
 17 Appeal by Friday, June 30, 2023, seeking a stay of a trial that is to begin July 11, 2023. In addition,
 18 and critically for Allstate’s response herein, an attorney assisting Mr. Baxter with an important
 19 segment of the response has had some unexpected emergency issues come up which has impacted her
 20 schedule for finishing her segment, which has impacted the completion of the response. Mr. Baxter
 21 was also involved in a trial on June 14th through the 15th, involving a petition to terminate the
 22 guardianship of three Native American girls. The trial was stopped on the afternoon of June 15th due
 23 to the issuance of *Haaland v. Brackeen* by the United States Supreme Court, with the trial court seeking
 24 briefing regarding the impact the issuance of the matter will have on the guardianship issues. This
 25 was an unexpected event, which has also impact Mr. Baxter’s schedule regarding the response herein
 26 for purposes of evaluating this decision and the impact in the matter. Due to the above, Allstate’s
 27 counsel is seeking a one-week extension to complete all aspects of the complex response, which
 28 includes bringing a motion to file an oversized brief and a motion to seal certain documents.

3. There are a number of issues and claimants involved in this case, with extensive discovery having been completed that must be summarized for purposes of responding to the motions that have been filed. The motion for summary judgment filed by the Belsky Parties contains a 45-page points and authorities, with an extensive amount of exhibits attached thereto that must be reviewed and summarized. The motions at issue are of critical importance; however, due to the existing work schedule of counsel for both parties, including, but not limited to, the issues outlined in paragraph 2 above, in order to ensure that the parties have a full and adequate opportunity to respond to the motions [ECF No. 518 and 522], good cause exists to extend the dispositive motion deadline to July 7, 2023.

4. Thus, the parties stipulate and agree to extend the deadline for the responses to dispositive motions from June 30, 2023 to July 7, 2023. Additional time is not expected to be needed.

5. This stipulation is made in good faith and not to delay the proceedings.

Trial has not been scheduled in this matter.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 26th day of June, 2023

DATED this 26th day of June, 2023

FAIN ANDERSON VANDERHOEF
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CHRISTIANSEN LAW OFFICES

By: /s/ Todd W. Baxter

By: /s/ Samuel R. Mirkovich

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1 IT IS SO ORDERED.

2 DATED: June 26, 2023



UNITED STATES DISTRICT COURT JUDGE

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